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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hironobu NARUI et al.

Application No. 10/764,640

Filed: January 26, 2004

For: OPTICAL SEMICONDUCTOR APPARATUS

Group Art Unit: 2818

Examiner: Ngo, Ngan V.

)) CERTIFICATE OF MAILING

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) Roxanne M. Swartz
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Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Dear Sir:

This amendment is timely filed in response to the Office communication dated March 2, 2005, in the above-identified application. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action of March 2, 2005, the Examiner requested restriction of claims pursuant to 35 U.S.C. §121, between Group I: Figures 1-6, Group II: Figures 7A-8D, and Group III: Figures 9-11D. In response, Applicants hereby elect Group I: Figures 1-6, and designate claims 1-3 as reading on that species.

Attorney Docket No. 09792909-5774
Application No. 10/764,640

PTO-2038 form is attached for the extension fee. However, should any fees be deemed necessary in connection with the filing of this document, the Commissioner is hereby authorized to charge any deficiency in a required fee to Deposit Account No. 19-3140.

Respectfully submitted,

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By: May 2, 2005